IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 16TH JANUARY 2007 / 26TH PAUSHA 1928

Crl.MC.No. 130 of 2007()

CRL.M.P.NO.3332/06 IN
CRA.1159/2006 of SESSIONS COURT, TRIVANDRUM

.....

PETITIONER:

MANIYAN, S/O. NEELAKANDAN,
AGED 63 YEARS,
ARANGAVILAKOM MELE PUTHEN VEEDU,
KULATHOOR VILLAGE.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SMT. LATHA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 16/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 130 OF 2007

Dated this the 16th day of January, 2007

ORDER

The petitioner has been found guilty, convicted and sentenced in a prosecution under the provisions of the Kerala Abkari Act. He preferred an appeal. The learned Sessions Judge has suspended the sentence subject to conditions. One of the conditions is that the petitioner must deposit an amount of Rs.25,000/-. The petitioner has now been granted time till 21/1/07 to pay the amount. The petitioner is unable to pay the amount now. He prays that the said condition may be deleted. In the alternative, he prays that time may be granted to the petitioner to comply with the order and there may be a direction to expeditious disposal of the appeal itself. If such directions were not issued, the petitioner will have to undergo imprisonment even before his appeal is disposed of on merits. The learned counsel for the petitioner submits that the petitioner has a very good case to be advanced in appeal.

2. Having considered all the relevant inputs, I am satisfied that this Crl.M.C. can be allowed in part and

appropriate directions issued.

3. The petitioner is granted time till 15/3/07 to pay the amount of Rs. 25,000/-. In case the petitioner is unable to raise the amount, the petitioner may file an application within 15 days from this date before the learned Judge for out of turn disposal of the appeal and in that even the learned Judge shall dispose of the appeal prior to 15/3/07.

Sd/-

(R. BASANT, JUDGE)

HO
Nan/

//true copy//

P.S. to Judge